

House Bill 1067

By: Representative Parsons of the 42nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of
2 Georgia Annotated, relating to conditions of employment under the "Quality Basic Education
3 Act," so as to provide for the withholding of funds for failure by a local school system to
4 comply with duty-free lunch requirements; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Subpart 2 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
9 Annotated, relating to conditions of employment under the "Quality Basic Education Act,"
10 is amended by revising Code Section 20-2-218, relating to duty-free lunch periods, as
11 follows:

12 "20-2-218.

13 (a) Every teacher who is employed in grades kindergarten through five for a period of time
14 of more than one-half of the class periods of the regular school day shall be provided a
15 daily lunch period of not less than 30 consecutive minutes, and such employee shall not be
16 assigned any responsibilities during this lunch period. Such lunch period shall be included
17 in the number of hours worked, and no local board of education shall increase the number
18 of hours to be worked by an employee as a result of such employee's being granted a lunch
19 period under the provisions of this Code section. This duty-free lunch period shall not be
20 calculated under any circumstances as a part of any daily planning period or other
21 noninstructional time.

22 (b) Nothing in this Code section shall be construed to prevent any teacher from exchanging
23 that teacher's lunch period for any compensation or benefit mutually agreed upon by the
24 employee and the local superintendent of schools or such superintendent's agent, except
25 that a teacher and the superintendent or agent may not agree to terms which are different

1 from those available to any other teacher granted rights under this Code section within the
2 individual school or to terms which in any way discriminate among such teachers within
3 the individual school.

4 (c) The implementation of this Code section may not result in a lengthened school day.

5 (d) If necessary where due to extreme economic conditions or an unforeseen and
6 unavoidable personnel shortage, a local unit of administration may require a teacher
7 otherwise entitled to a duty-free lunch period to supervise students during such lunch
8 period but for no more than one day in any school week.

9 (e) Notwithstanding any of the foregoing provisions of this Code section to the contrary,
10 nothing in this Code section shall require the General Assembly to appropriate funds for
11 the implementation of the duty-free lunch program; provided, however, that any such funds
12 appropriated for this purpose shall be used by local school systems for duty-free lunch
13 periods for classroom teachers in grades kindergarten through five.

14 (f) In the event a local school system fails to comply with any provision of this Code
15 section, the State Board of Education may withhold from such local school system, in
16 accordance with Code Section 20-2-243, all or any part of the state contributed Quality
17 Basic Education Program funds allotted to such local school system under this article until
18 full compliance is made by such local school system with the provisions of this Code
19 section."

20 SECTION 2.

21 All laws and parts of laws in conflict with this Act are repealed.